
Exhibit 5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Uniformed Fire Officers Association; Uniformed
Firefighters Association of Greater New York;
Correction Officers' Benevolent Association of the
City of New York, Inc.; Police Benevolent
Association of the City of New York, Inc.; Sergeants
Benevolent Association; Lieutenants Benevolent
Association; Captains Endowment Association; and
Detectives' Endowment Association,

**DECLARATION OF
TERRYL L. BROWN**

No. 20 CV 05441 (KPF)

Plaintiffs,

-against-

Bill de Blasio, in his official capacity as Mayor of the
City of New York; the City of New York; Fire
Department of the City of New York; Daniel A.
Nigro, in his official capacity as the Commissioner of
the Fire Department of the City of New York; New
York City Department of Correction; Cynthia Brann,
in her official capacity as the Commissioner of the
New York City Department of Correction; Dermot F.
Shea, in his official capacity as the Commissioner of
the New York City Police Department; the New York
City Police Department; Frederick Davie, in his
official capacity as the Chair of the Civilian
Complaint Review Board; and the Civilian
Complaint Review Board.,

Defendants.

-----X
TERRYL L. BROWN, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746,
that the following is true and correct:

1. I am the General Counsel and Chief Legal Officer for the Fire Department of
the City of New York ("FDNY"), and I have held this position since September 8, 2014. On June
12, 2020, the New York State Legislature repealed New York Civil Rights Law § 50-a. ("Civil
Rights Law §50-a")

2. FDNY employees serving in the titles of Firefighters and Fire Officers, including those serving as Fire Marshalls, are included as members of law enforcement pursuant to Civil Rights Law §50-a. FDNY has no members serving in the dual role of Firefighter/Paramedic.

3. As of this date, requests for disclosure of disciplinary records pursuant to Civil Rights Law §50-a are processed as Freedom of Information Law (“FOIL”) requests, through the New York City OpenRecords FOIL request portal or via regular mail request. FOIL requests are answered, wherever possible, in order of receipt.

4. As of this date FDNY has not developed a protocol or process for the public release of firefighter or fire officer disciplinary records pursuant to the repeal of Civil Rights Law § 50-a and will develop a procedure for the public disclosure of such records that complies with all applicable laws and/or Court orders.

Executed on: New York, New York
August 7, 2020

Terryl L. Brown /s/

TERRYL L. BROWN